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09/942,047	08/28/2001	Umair A. Khan	CLICP008	7341
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Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120			EXAMINER LIVERSEDGE, JENNIFER L	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/942,047

**Applicant(s)**

KHAN ET AL.

**Examiner**

Jennifer Liversedge

**Art Unit**

3692

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-6,8-16 and 18-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-16 and 18-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This Office Action is responsive to Applicant's amendment and request for reconsideration of application 09/942,047 filed on January 23, 2008.

The amendment contains original claims: 6, 11-13, 15, 21, 26-28, 30.

The amendment contains previously presented claims: 3-5, 8-10, 14, 18-20, 22-25, 29, 32, 34, 37-38, 40.

The amendment contains amended claims: 1, 16, 31, 33, 35-36, 39, 41-42.

The amendment contains new claims: 43-44.

Claims 2, 7, 17 have been canceled.

### ***Claim Objections***

Claim 42 is objected to because of the following informalities: newly amended limitation of "storing records of a navigation of the user during the transaction" is nearly identical to the limitation immediately below it which states "storing records relating to the navigation of the user during the transaction" and which was already in the claim prior to the addition of the new limitation. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6, 8-16 and 18-42 are rejected under 35 U.S.C. 102(b) as being anticipated by "Information Gathering in the World Wide Web: The W3QL Query Language and the W3QS System" by David Konopnicki and Oded Shmueli (further referred to as Konopnicki).

Regarding claim 1, Konopnicki discloses a method, computer program code on a readable medium and system for carrying out a computer-implemented transaction comprising:

Storing in memory a transaction pattern reflecting a transaction (pages 372, 374-376, 392, 396, 400-401);

Executing the transaction pattern to carry out the transaction (pages 372, 374-376, 392, 400-401);

Wherein the transaction pattern includes a record of information submitted by a user, user actions taken by the user, system actions taken by a system in response to the information and the user actions in order to generate results, and the results that are sent to the user (pages 372, 374-376, 392, 396, 400-401);

Wherein the storage of the transaction pattern includes storage of records of a navigation of the user during the transaction (pages 372, 375, 376).

Regarding claim 16, Konopnicki discloses a computer program product, embodied on a computer readable medium and capable of execution on a computer, for carrying out a computer-implemented transaction comprising:

Computer code for storing in memory a transaction pattern reflecting a transaction (pages 372, 374- 376, 392, 396, 400-401);

Computer code for executing the transaction pattern to carry out the transaction (pages 372, 374- 376, 392, 400-401); and

Wherein the transaction pattern includes a record of information submitted by a user, user actions taken by the user, system actions taken by a system in response to the information and the user actions in order to generate results, and the results that are sent to the user (pages 372, 374-376, 392, 396, 400-401).

Wherein the storage of the transaction pattern includes storage of records of a navigation of the user during the transaction (pages 372, 375, 376).

Regarding claim 31, Konopnicki discloses a system for carrying out a computer-implemented transaction comprising:

Hardware logic for storing in memory a transaction pattern reflecting a transaction (pages 372, 374- 376, 392, 396, 400-401);

Hardware logic for executing the transaction pattern to carry out the transaction (pages 372, 374- 376, 392, 400-401);

Wherein the transaction pattern includes a record of information submitted by a user, user actions taken by the user, system actions taken by a system in response to

the information and the user actions in order to generate results, and the results that are sent to the user (pages 372, 374-376, 392, 396, 400-401);

Wherein the storage of the transaction pattern includes storage of records of a navigation of the user during the transaction (pages 372, 375, 376).

Regarding claim 33, Konopnicki discloses a method for carrying out a computer-implemented transaction comprising:

Recording information submitted by a user as part of a transaction (pages 372, 374- 376, 392, 396, 400-401);

Recording user actions taken by the user as part of the transaction (pages 372, 374- 376, 392, 396, 400-401);

Recording system actions taken by a system in response to the information and the user actions in order to generate results as part of the transaction (pages 372, 374- 376, 392, 396, 400-401);

Recording the results that are sent to the user as part of the transaction (pages 372, 374-376, 392, 396, 400-401);

Generating a transaction pattern based on the recorded information (pages 372, 375, 376);

Storing the transaction pattern in memory (pages 372, 375, 376);

Executing the transaction pattern to automatically carry out the transaction upon receiving a user request for the transaction (pages 372, 374- 376, 392, 400-401); and

Wherein the storage of the transaction pattern includes storage of records of a navigation of the user during the transaction (pages 372, 375, 376).

Regarding claim 41, Konopnicki discloses a method for carrying out a computer-implemented electronic commerce (e-commerce) transaction comprising:

storing in memory a transaction pattern reflecting a transaction (pages 372, 374-376, 392, 396, 400-401), wherein the transaction pattern includes:

creation and actions associated with forms presented in a web-interface with which a user submits information (pages 372, 374-376);

information submitted by the user, in forms presented in an e-commerce flow (pages 372, 374-376);

an internal process whereby the submitted information is sent to servers and databases of an e-commerce site (pages 372, 374-376, 392-394, 401-402);

navigation of the user within the e-commerce process (pages 372, 374-376);

system actions taken by a system in response to the information and the creation and actions in order to generate results (pages 372, 374-376, 392-394);

the results returned by the e-commerce site once the submitted information has been processed (pages 372, 374-376, 401); and  
executing the transaction pattern to carry out the transaction (pages 372, 374-376, 392-394, 400-401).

Regarding claim 42, Konopnicki discloses a method for carrying out a computer-implemented transaction comprising:

Recording information submitted by a user as part of a transaction (pages 372, 374- 376, 392, 396, 400-401);

Recording user actions taken by the user as part of the transaction (pages 372, 374- 376, 392, 396, 400-401);

Recording system actions taken by a system in response to the information and the user actions in order to generate results as part of the transaction (pages 372, 374- 376, 392, 396, 400-401);

Recording the results that are sent to the user as part of the transaction (pages 372, 374-376, 392, 396, 400-401);

Recording actions taken by the system which enable the user to access data (pages 372, 374-376, 392-394);

Recording actions enabled by the data to retrieve content (pages 372, 374-376, 392-394);

Generating a transaction pattern based on the recorded information (pages 372, 375, 376);

Storing the transaction pattern in memory (pages 372, 375, 376), including:

Storing records relating to an interface presented to the user (pages 372, 374-376);

Storing records relating to the submission of information by the user (pages 372, 374-376);



Storing parameters required to complete the transaction (pages 372, 374-376, 392-394, 396, 400-401);

Storing records of a navigation of the user during the transaction (pages 372, 374-376);

Storing records relating to the navigation of the user during the transaction (pages 372, 374-376);

Storing information returned to the user by the system (pages 372, 374-376);

Storing information selected by the user (pages 372, 374-376);

Executing the transaction pattern to automatically carry out the transaction upon receiving a user request for the transaction (pages 372, 374- 376, 392, 400-401), including:

Retrieving the transaction pattern using at least one of an automated agent and a programmable agent (pages 372, 374- 376, 392-394, 400-401);

Recognizing a state of a remote application (pages 372, 374- 376, 392-394, 400-401);

Submitting required parameters during the transaction (pages 372, 374-376, 392-394, 400-401);

Performing automatic navigation during the transaction (pages 372, 374-376, 392, 400-401);

Retrieving content (pages 372, 374- 376, 392, 400-401); and

Relaying content to the user (pages 372, 374-377, 396, 401).

Regarding claims 3, 18 and 34, Konopnicki discloses wherein the transaction pattern further includes a record of the actions taken by the system which enable access of the user to data, and actions enabled by the data to retrieve content (pages 372, 375-376).

Regarding claims 4 and 19, Konopnicki discloses wherein the storage of the transaction pattern includes the storage of records relating to an interface presented to the user (pages 372, 374-376).

Regarding claims 5 and 20, Konopnicki discloses wherein the storage of the transaction pattern includes the storage of records relating to the submission of information by the user (pages 372, 374- 376, 392, 396, 400-401).

Regarding claims 6 and 21, Konopnicki discloses wherein the storage of the transaction pattern includes the storage of parameters required to complete the transaction (pages 372, 374-376, 392-394, 396, 400-401).

Regarding claims 8, 23 and 35, Konopnicki discloses wherein the storage of the transaction pattern includes the storage of information returned to the user by the system (pages 372, 374-376).

Regarding claims 9, 24 and 36, Konopnicki discloses wherein the storage of the transaction pattern includes the storage of information selected by the user (pages 372, 374-376).

Regarding claims 10, 25 and 37, Konopnicki discloses wherein the execution of the transaction pattern includes retrieval of the transaction pattern by at least one of an automated agent and a programmable agent (pages 372, 374- 376, 392-394, 400-401).

Regarding claims 11 and 26, Konopnicki discloses wherein the execution of the transaction pattern includes submission of required parameters during the transaction (pages 372, 374- 376, 392-394, 400-401).

Regarding claims 12, 27 and 38, Konopnicki discloses wherein the execution of the transaction pattern involves automatic navigation during the transaction (pages 372, 374- 376, 392, 400-401).

Regarding claims 13 and 28, Konopnicki discloses wherein the execution of the transaction pattern includes retrieval of content (pages 372, 374- 376, 392, 400-401).

Regarding claims 14, 29 and 39, Konopnicki discloses wherein the execution of the transaction pattern includes relaying content to the user (pages 372, 374-377, 396, 401).

Regarding claims 15, 30 and 40, Konopnicki discloses wherein the execution of the transaction pattern includes recognizing a state of a remote application (pages 372, 374- 376, 392-394, 400-401).

Regarding claim 22, Konopnicki discloses wherein the storage of the transaction pattern includes the storage of records relating to the navigation of the user during the transaction (pages 372, 374-376).

Regarding claim 32, Konopnicki discloses wherein the remote application is an electronic commerce application (pages 372, 374-376).

Regarding claim 43, Konopnicki discloses wherein the transaction pattern further includes information submitted by the user, in each form and in each step of a login and account access process (page 372).

Regarding claim 44, Konopnicki discloses wherein the transaction pattern further includes an internal process, whereby submitted information is sent to servers and databases of a portfolio account site of the user (pages 372, 374-376, 392-394, 401-402).

***Response to Arguments***

Applicant has argued that all the claim limitations were not addressed or shown in the previous Office Action. Examiner respectfully disagrees and believes that the pages cited covered each of the claim limitations as set forth in the previous Office Action. However, in order to expedite prosecution and per Applicant's request, a detailed address of each claim limitation, showing where in the reference each element can be found, has been provided in the present Office Action. Though the presentation has been modified per Applicant's request, Examiner notes that the rejection material remains the same.

Applicant has further argued that pages 372, 374-376, 392, 396 and 400-401 fail to teach or suggest "wherein the storage of the transaction pattern includes storage of records of navigation of the user during the transaction". Examiner respectfully disagrees.

For example, on page 372, it is specifically disclosed in the Konopnicki system "Every morning, navigate to my favorite newspaper home page, follow the hypertext link labeled "Buy", fill the online form with my ID and credit card number and download the Postscript version of the newspaper." Konopnicki then goes on to state that the system automates the process. In this example on page 372, the stored transaction pattern includes how to 1) navigate to the newspaper home page, 2) follow a specific hypertext link designating a "buy" operation, 3) to fill in ID and credit card data in order to download a particular version of the paper. Therefore, Konopnicki clearly discloses

"wherein the storage of the transaction pattern includes storage of records of navigation of the user during the transaction".

Additionally, pages 374-376 shows where Konopnicki discloses that "W3QS is capable of "learning" how to fill out forms, and to do so automatically". The sections that follow go into detail of how the "learnform program" operates to understand the data that is to be used to fill in a form, where the data is saved such that the form can then be automatically filled out in the future. Additionally, page 376 specifies that "DOF files save past form-filling activities and not only the fields of the form. This allows us to ask W3QS to fill the form the same way it was filled in the past with some changes." Accordingly, not only is the transaction pattern simply the data that goes in a form as learned from a previous transaction, but the form fills the form in in the same way.

Page 392 outlines the "Dictionary of forms" that are used for data storage of items that get filled into the forms during subsequent visits.

Page 396 provides a mechanism by which the system responds to a user if the system encounters an unknown element while filling out a form, and where the "learnform program" is activated in order to request information from the user which, when supplied by the user, then becomes part of the record.

Pages 400-401 outline the system with its servers and databases used for gathering user-related data and storing user-related data for subsequent automatic execution, as well as provides results to the user of the automatic execution.

Applicant has argued that the claim 3 limitations were not specifically addressed. Again, per the first paragraph the Response to Arguments section, Examiner believes

each limitation was addressed in the previous Office Action, but for clarity per Applicant's request, has been addressed in specific detail above. Claim 3 has been specifically addressed in the above rejection wherein Konopnicki discloses wherein the transaction pattern further includes a record of the actions taken by the system which enable access of the user to data, and actions enabled by the data to retrieve content as found on pages 372 and 375-376 where the details of engaging in a transaction where a record is made of the actions taken by the system enabling access of the user to data and actions enabled to retrieve content. Page 372 fully disclose the interactions between system and user in navigating to and accessing a web home page, providing for the selection of hyperlinks including the option to "buy", user selection of a hyperlink per the provided selections including the option to "buy", supplying an online form with the requirement of an identification and payment options, supplying an identification and a specific payment form, and further for the download of content upon successful navigation of the previous screens of system-user interaction. Pages 375-376 provide additional examples of recording system-user interactions.

Applicant has argued that the claim 4 limitations were not specifically addressed. Again, per the first paragraph the Response to Arguments section, Examiner believes each limitation was addressed in the previous Office Action, but for clarity per Applicant's request, has been addressed in specific detail above. Claim 4 has been specifically addressed in the above rejection where Konopnicki discloses wherein the storage of the transaction pattern includes the storage of records relating to an interface presented to the user (pages 372, 374-376). Each of the examples provided on pages

372 and 374-376 speak to user interfaces such as in buying a newspaper via a web home page and associated links, searching for a city's weather forecast, and conducting searches such as regarding pet therapy.

Applicant has argued that the cited portions of the reference do not disclose the claim limitations as provided in claim 15. However, Konopnicki discloses wherein the execution of the transaction pattern includes recognizing a state of a remote application in the cited portions where page 372 requires that the system recognize that the execution of the transaction relates to the navigation of a home page with associated links in order to provide ID and credit card information for the purchase of a newspaper. Pages 374- 376 require that the system recognize that the user has entered a weather page and to know that the user wants to know the weather related to a specific city. Pages 392-394 describe the "dictionary of forms" that are used and the data stored in order that forms are recognized and data that goes into the corresponding forms at the appropriate times are supplied from the stored data. Pages 400-401 outline the system with its servers and databases used for gathering user-related data and storing user-related data for subsequent automatic execution, as well as provides results to the user of the automatic execution, where automatic execution occurs by recognizing the state of the application.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP



§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached at 571-272-6702. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge

Examiner

Art Unit 3692

/Kambiz Abdi/

Supervisory Patent Examiner, Art Unit 3692